REMARKS/ARGUMENTS

The present Amendment is in response to the Office Action having a mailing date of October 6, 2006. Claims 1-49 are pending in the present Application. Applicant has amended claims 5, 21 and 38. Applicant has also added claims 50-58. Consequently, claims 1-58 remain pending in the present Application.

Applicant has amended claims 5, 21, and 38 to provide a definition for the acronym CAM (content addressable memory) to overcome the rejection(s) under35 U.S.C. § 112, second paragraph. This amendment is seen by Applicant as broadening or cosmetic, and as such, is not subject to the prosecution history estoppel imposed by Festo. For the record, Applicant points out that the Supreme Court in Festo noted that a cosmetic amendment would not narrow the patent's scope and thus would not raise the estoppel bar. Applicant has also added claims 50-58, which recite that the network processor is configured to be used in networking applications, that the packets are computer network packets, and more particularly, a plurality of Ethernet packets. Support for this amendment can be found in the specification, page 7, lines 5-15 and page 9, line 22-page 10, line 15. Applicant has also amended the specification to include the definition of the CAM and items 208 and 168. Support for this amendment may be found in Figures 2 and 3. Accordingly, Applicant respectfully submits that no new matter is added.

In the above-identified Office Action, the Examiner objected to the drawings as including reference numbers 168 and 208 that were not described in the specification. The Examiner also objected to the specification because the last occurrence of "step 206" should be changed to "step 208." Finally, the Examiner objected to claims 15, 31, and 48 because a CAM table was not defined in the specification.

Applicant has amended the specification to cite items 168 and 208 that were depicted in Figures 2 and 3, respectively, but inadvertently omitted from the specification. Applicant has also amended the specification to provide the underlying terms for the acronym CAM. Applicant has also amended claims 15, 31, and 48 to recite a "content addressable memory" in lieu of a "CAM". Accordingly, Applicant respectfully submits that the Examiner's objections to the specification have been addressed.

In the above-identified Office Action, the Examiner rejected claims 1-49 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,281,951 (Okayama). In so doing, the Examiner cited col. 13, lines 14-20 of Okayama as teaching the recited network processor.

Applicant respectfully traverses the Examiner's rejection. Claim 1 recites an apparatus for monitoring and control of a complex system. The system includes a plurality of sensors and a table including entries indicating actions to be taken in response to the attributes monitored by the sensors taking on particular values. Claim 1 also recites a network processor "for receiving from the plurality of sensors a plurality of statuses for the plurality of attributes, . . . for determining at least one entry of the plurality of entries to access based upon the plurality of statuses, and for accessing the at least one entry to determine a corresponding action." Claims 17 and 34 recite an analogous method and an analogous computer-readable medium, respectively.

As described in the specification, the network processor recited in claims 1, 17, and 34 is a programmable processor configured to be used in networking applications, such as switches and routers, and thus is capable of handling millions of packets per second and millions of lookups. Specification, page 7, lines 6-12. The use of such a network process is thus extended to monitoring other complex systems through the use of the recited sensors. Specification, page 7, lines 12-13. Through the use of the network processor in the apparatus, method, and computer-

readable medium recited in claims 1, 17, and 34, complex systems can be more efficiently monitored and controlled. Specification, page 8, line 22-page 9, line 11.

In contrast, Okayama fails to teach or suggest the use of a network processor for use in receiving from sensors the statuses for attributes of the system, determining which of the table entries to access based upon the, and accessing the appropriate entry to determine a corresponding action in conjunction with the recited sensors. Okayama describes a fire alarm system. Consequently, Applicant agrees that Okayama describes the use of sensors and taking actions based upon such sensor. See, for example, Okayama, Abstract. However, the cited portion of Okayama merely describes a "fire control panel . . ." Okayama, col. 13, lines 14-16. This fire control panel does include a "microprocessor" and should be programmable. Okayama, col. 5, line 55-col. 6, line 8. However, there is no indication in Okayama that the fire control panel is the recited "network processor" which, by definition, is configured to be used in networking applications. Applicant has found no mention in Okayama that the fire control panel has any capability relating to networking applications. Instead, the fire control panel of Okayama appears to be specially configured for the limited application of fire monitoring. Consequently, Okayama fails to teach or suggests the use of the recited network processor for receiving from sensors the statuses for attributes of the system, determining which of the table entries to access based upon the, and accessing the appropriate entry to determine a corresponding action in combination with the recited sensors. Okayama, therefore, fails to teach or suggest the apparatus, method, and computer-readable medium recited in claims 1, 17, and 34. Accordingly, Applicant respectfully submits that claims 1, 17, and 34 are allowable over the cited references.

Claims 2-16, 18-33, and 35-49 depend upon independent claims 1, 17, and 34, respectively. Consequently, the arguments herein apply with full force to claims 2-16, 18-33, and 35-49.

Accordingly, Applicant respectfully submits that claims 2-16, 18-33, and 35-49 are allowable over the cited references.

In the above-identified Office Action, the Examiner rejected claims 1, 17, and 34 under 35 U.S.C. § 102 as being unpatentable over U.S. Patent No. 6,581,022 (Murakami). In so doing, the Examiner cited col. 3, lines 51-57 and col. 4, lines 4-7 as corresponding to the recited network processor.

Applicant respectfully traverses the Examiner's rejection. Murakami fails to teach or suggest the recited network processor for use in receiving from sensors the statuses for attributes of the system, determining which of the table entries to access based upon the, and accessing the appropriate entry to determine a corresponding action in conjunction with the recited sensors. Murakami describes a temperature control system, apparently for use in a vehicle. Murakami, Abstract. The cited portions of Murakami describe Murakami's control unit. Murakami, col. 3, lines 51-57 and col. 4, lines 4-7. The control unit of Murakami does accept signals from sensors, determines whether sensor failures have occurred, and ensures that appropriate action is taken. Murakami, col. 3, line 61-col. 4, line 67. However, Applicant can find no indication in Murakami that the controller is the recited network processor. Murakami is devoid of mention of the control unit having any capability for use in networking application. Instead, the control unit of Murakami is apparently tailored specifically for this application within vehicles. Consequently, Murakami fails to teach or suggest the recited network processor in combination with the recited sensors. Accordingly, Applicant respectfully submits that claims 1, 17, and 34 are allowable over the cited references.

New claims 50-58 depend upon independent claims 1, 17, and 34. Consequently, the arguments herein apply with full force to claims 50-58. Accordingly, Applicant respectfully submits that claims 50-58 are allowable over the cited references.

Further, claims 50-58 recite that the network processor is configured for use in networking applications, that the recited packets received by the network processor are computer network packets, and that the packets received by the network processor are Ethernet packets. Applicant has found no mention in Okayama or Murakami of these features. Accordingly, Applicant respectfully submits that claims 50-58 are separately allowable over the cited references.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

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Respectfully submitted,

SAWYER LAW GROUP LLP

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Date

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